



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

Applicant or Patentee: HANS BOEHRINGER et al.Application or Patent No.: 08/812,616Filed or Issued: March 6, 1997Title: QUANTITATIVE LATERAL FLOW ASSAYS AND DEVICES

I hereby declare that I am:

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: Quidel CorporationAddress of Small Business Concern: 10165 McKeller Court
San Diego, California 92121

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled QUANTITATIVE LATERAL FLOW ASSAYS AND DEVICES by inventor(s) HANS BOEHRINGER, GERALD ROWLEY, and ALLAN PRONOVOST described in:

- ☐ the specification filed herewith.
☒ Application No. 08/812,616, filed March 6, 1997.
☐ Patent No. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Name na
Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Name _____
Address _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: _____

Title of Person if Other than Owner: _____

Address of Person Signing: 10165 McKeller Court
San Diego, California 92121

Signature _____

Date 8/26/97



Attorney Docket No. 12046A-010500

DECLARATION AND POWER OF ATTORNEY

As a sole inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **QUANTITATIVE LATERAL FLOW ASSAYS AND DEVICES** the specification of which is attached hereto or X was filed on MARCH 6, 1997 as Application No. 08/812,616 and was amended on (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
na			Yes <u> </u> No <u> </u>
			Yes <u> </u> No <u> </u>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
na	

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
na		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned
		<u> </u> Patented <u> </u> Pending <u> </u> Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Karen B. Dow, Reg. No. 29,684
James M. Heslin, Reg. No. 29,541

Send Correspondence to:

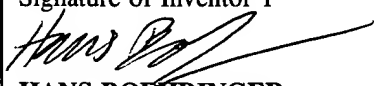
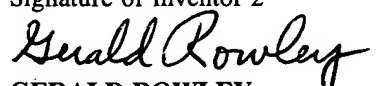

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834

Direct Telephone Calls to:
(Name, Reg. No., Telephone No.)

Name: Karen B. Dow
Reg. No.: 29,684
Telephone: 650/326-2400

Full Name of Inventor 1	Last Name BOEHRINGER	First Name HANS	Middle Name or Initial	
Residence & Citizenship	City SAN DIEGO	State/Foreign Country CALIFORNIA	Country of Citizenship USA	
Post Office Address	Post Office Address 17937 MYRICA LANE	City SAN DIEGO	State/Country CALIFORNIA	Zip Code 92127
Full Name of Inventor 2	Last Name ROWLEY	First Name GERALD	Middle Name or Initial	
Residence & Citizenship	City SAN DIEGO	State/Foreign Country CALIFORNIA	Country of Citizenship USA	
Post Office Address	Post Office Address 9264 LETHBRIDGE WAY	City SAN DIEGO	State/Country CALIFORNIA	Zip Code 92129
Full Name of Inventor 3	Last Name PRONOVOST	First Name ALLAN	Middle Name or Initial	
Residence & Citizenship	City SAN DIEGO	State/Foreign Country CALIFORNIA	Country of Citizenship USA	
Post Office Address	Post Office Address 12864 SALMON RIVER ROAD	City SAN DIEGO	State/Country CALIFORNIA	Zip Code 92129

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  HANS BOEHRINGER	Signature of Inventor 2  GERALD ROWLEY	Signature of Inventor 3  ALLAN PRONOVOST
Date 8/20/97	Date 8/19/97	Date 8/26/97



Attorney Docket No. 12046A-010500

POWER OF ATTORNEY BY ASSIGNEE

QUIDEL CORPORATION is the Assignee of the invention entitled: QUANTITATIVE LATERAL FLOW ASSAYS AND DEVICES, the specification of which is attached hereto or XX was filed on March 6, 1997 as Application Serial No. 08/812,616.

Assignee hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Karen B. Dow, Reg. No. 29,684
James M. Heslin, Reg. No. 29,541

Send Correspondence to:

KAREN B. DOW
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Two Embarcadero Center, 8th Floor
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Direct Telephone Calls to:

(Name, reg. no., tele. no.)

Karen B. Dow
Reg. No. 29,684
(650) 326-2400

QUIDEL CORPORATION

Date:

8/26/97

By:

[Signature]

(Signature)

Name:

Allen De Proveret

Title:

V.P. R&D

CERTIFICATE UNDER 37 C.F.R. § 3.73



Applicant: HANS BOEHRINGER, GERALD ROWLEY & ALLAN PRONOVOST

Application No.: 08/812,616

Filed: March 6, 1997

For: QUANTITATIVE LATERAL FLOW ASSAYS AND DEVICES

QUIDEL CORPORATION, a **DELAWARE**

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame(s) _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ A copy of the assignment as submitted for recordation noting the chain of title is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

9/4/97

Name

STEVEN T. FRANKEL

Title

PRESIDENT and CEO

Signature

[Signature]
P22D.MRG (w/ PWR.MRG) 11/97
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